APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/925,357	08/09/2001	Nicholas D.L. Thorne	GB 000104	6115

			EXAMINER
24737	7590	01/23/2006	QURESHI, AFSAR M

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ART UNIT	PAPER NUMBER
2667	

DATE MAILED: 01/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 July 2005*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date *1/10/03*.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

Response to Amendment

1.   This office action is in response to amendment received on 7/11/2005. The

objection to Abstract is withdrawn in light of amended Abstract. As to the Drawings,

Applicant is requested to label all boxes with descriptions/titles.

Response to Arguments

2.   The Applicant amended claim 1, however, there is no specific reference to

DSMCC protocol in the Specification. The Examiner contends that DSMCC is known

and old. A detailed explanation of DSMCC can be found in MPEG specification ISO/IEC

138181-6 (1996-1998) http://flavor.ee.columbia.edu/docs/is138181.pdf wherein DSMCC

specification defines a method of encoding a file system comprised of directories and

files used by computer, in packets within an MPEG2 transport stream, examples are:

JAVA program to be executed is carried in packets in the MPEG2 transport steam in the

form of Application Information Table (AIT). The cited art GB 2344009 (Tuttlebee et al.)

and Wasilewski, although do not specifically refer to MPEG Specification, nonetheless,

both references are concerned with the broadcast programs and adverts for selective

display which is in the same field of endeavor.

3.   **The text of those sections of Title 35, U.S. Code not included in this action**

can be found in a prior Office action.

4.   Claims 1-4, 6, 8, 10-12 are rejected under 35 U.S.C. 102(a) as being anticipated

by Walter Harold William Tuttlebee et al. (GB 2,344,009), hereinafter referred to as

Tuttlebee.

Regarding claim 1, Tuttlebee disclosed a method for the selective delivery of data to an

application by means of unidirectional communication, comprising associating with the

data prior to transmission a status indicator, transmitting the data and status indicator

(See page 4, lines 16-21. Status indicator is the pre-determined criterion), receiving the

data and status indicator (See figure 2, block 200. See page 4, lines 16-21),

ascertaining a present status of the application (See figure 2, block 206. See page 2,

lines 9-11), comparing the ascertained present status with the status indicator (See

figure 2, block 202), and enabling the application to read the data if the ascertained

present status of the application s within the scope of the status defined by the status

indicator (See figure 3; page 1, lines 21-23; page 4, lines 16-21) and inhibiting he

application from reading the data otherwise (See figure 3, block 302).

Regarding claim 2, Tuttlebee disclosed a method, in which the status indicator defines a

location (See page 2, lines 1-2).

Regarding claim 3, Tuttlebee disclosed a method, in which the location comprises at

least two co-ordinates (See page 2, lines 1-2. Any location would be represented by at

least 2 coordinates).

Regarding claim 4, Tuttlebee disclosed a method, in which the location comprises a

predefined area (See page 1, lines 10-11; see page 6, line 14. Location is understood

as a predefined area).

Regarding claim 6, Tuttlebee disclosed a method, in which the status indicator defines

at least one climatic condition (See page 3, lines 10-12. Other criterions can be used

like climate conditions where this can be used to filter out appropriate advertisements

for this particular criterion).

Regarding claim 8, Tuttlebee disclosed a communication system operating in

accordance with the method claimed in claim 1, comprising means for associating with

data prior to transmission a status indicator (See page 4, lines 16-21. Status indicator is

the pre-determined criterion), means for transmitting the data and status indicator,

means for receiving the data and status indicator (See figure 2, block 200. See page 4,

lines 16-21), means for ascertaining a present status of an application (See figure 2,

block 206. See page 2, lines 9-11), and means for comparing the ascertained present

status with the status indicator and enabling the application to read the data if the

ascertained present status of the application is within the scope of the status defined by

the status indicator (See figure 3; page 1, lines 21-23; page 4, lines 16-21) and

inhibiting the application from reading the data otherwise (See figure 3, block 302).

Regarding claim 10, Tuttlebee disclosed a Data filtering apparatus (See figure 2, block

202) for use in a communication system, comprising means for comparing a present

status (See figure 3, block 302; page 1, lines 21-23; page 4, lines 16-21) of an

application with a status indicator associated with transmitted data (See page 4, lines

16-21. Status indicator is the pre-determined criterion), and means for enabling the

application to read the data if the present status of the application is within the scope of

the status defined by the status indicator (See figure 3; page 1, lines 21-23; page 4,

lines 16-21) and inhibiting the application from reading the data otherwise (See figure 3,

block 302).

Regarding claim 11, Tuttlebee disclosed a receiving station for use in a communication

system (See figure 2), comprising means for receiving data and a status indicator

associated with the data (See figure 2, block 200), means for ascertaining a present

status of an application (See figure 2, block 202), means for comparing the ascertained

present status of the application with the status indicator (See figure 2, block 202), and

means for enabling the application to read the data if the ascertained present status of

the application is within the scope of the status defined by the status indicator (See

figure 3, block 306) and inhibiting the application from reading the data otherwise.

Regarding claim 12, Tuttlebee disclosed a receiving station, in which the means for

ascertaining a present status of an application is an input means for receiving

information about the present status of the application (See figure 2, block 206).

5.   Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tuttlebee

in view of Valentine (U.S. 6,442,394).

Regarding claim 5, Tuttlebee disclosed a system for selectively detect the data

broadcast based on status ID associated with the receivers as described above.

Tuttlebee, however, fails to disclose the status indicator defines a combination of

location and rate of change of location.

Valentine disclosed a system of providing traffic information to the mobile stations

moving within the network by monitoring the location and speed of the mobile stations

(See figure 2. Vehicle traffic information like the location and the direction information

are sent to the source and the information are correlated with the roadway information.

Speed of the vehicle is computed from the provided information of the vehicle).

It would have been obvious to one having ordinary skills in the art at the time the

invention was made to define the status indicator as the location and the rate of change

of location of a mobile station, the motivation being that by using this information, one

can selectively provide appropriate and necessary traffic information to these particular

moving stations in the right area.

6.   Claims 7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Tuttlebee in view of Wasilewski (U.S. 5,420,866).

Regarding claim 7, Tuttlebee, however, fails to disclose the status indicator comprises at least a directory name.

Wasilewski disclosed a method of providing a plurality of conditional access information to the decoders with each assigned a unique ID or status ID contained in a conditional access table or directory (See figure 5. See column 12, lines 27-29).

It would have been obvious to one having ordinary skills in the art at the time the invention was made to define the status indicator as a name of a directory consisting of many status indicators, the motivation being that by using the directory, one can selectively provide the receivers or decoders a list of choices of which information they want to decode or receive.

Regarding claim 9, Tuttlebee, however, fails to disclose an encoding apparatus for use in a communication system. Wasilewski disclosed the encoding apparatus used in sending the information and the status ID to receivers (See figure 2, block 11).

It would have been obvious to one having ordinary skills in the art at the time the invention was made to utilize the encoder to transmit traffic to the other end, the motivation being that encoder is necessary in transmitting packet traffic in wireless communication.

7.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

8.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Afsar M. Qureshi whose telephone number is (571) 272

3178. If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Chi Pham can be reached on (571) 272 3179. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

        Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

1/19/2006

AFSAR QURESHI
PRIMARY EXAMINER